



LEGALLY SPEAKING

The Stark County Law Library Association Newsletter

September 2002

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Canton, Ohio

LABOR DAY

In honor of Labor Day, check out the following article and some of Ms. Rosen's chosen sites. "Labor and Employment Law Resources on the Internet 2002" is located on the Web at: <http://www.llrx.com/features/laborlaw.htm>. Ms. Rosen's guide will assist you in locating free labor and employment sites from commercial, academic, association, publisher, union and government sources. ¹

Who Do We Honor On Labor Day?

How about the 138.8 million people over age 16 who made up our nation's work force according to the 2000 Census?

- What do we get for all our hard work? The median earnings for men and women was \$37,057 and \$27,194.
- "9 to 5?" Not for the 31% who work more than 40 hr/wk, or the 8% who worked 60+ hr/wk!
- How long does it take us to get to work? The average was 25.5 minutes.
- And 7.6 million workers have more than one job. ²

Health Care Law

Stop by and check out our new display of books, journals, CLE handbooks, and video tapes on this important topic. The display is located between the coatroom and the Xerox machine in the main lobby, and the bibliography is on our website at: <http://www.starklawlibrary.org/newsletter.htm>

STARK COUNTY LAW LIBRARY

Health
Care
Law

Let Us Remember!

As September 11 approaches, take a few minutes to watch and listen to Jason Powers' beautiful, moving tribute to the men and women whose lives ended that day. "We can remember. We can pray. But we can't cry hard enough." ³ 9-11-02
The address is: <http://www.cantcryhardenough.com/>

Also on the net:
September 11th Digital Archive:
<http://911digitalarchive.org/>
The September 11 Web Archive:
<http://september11.archive.org/>



New Ohio CLE Handbooks

Pension Overview and Update for Non-Pension Attorneys, by Richard A. Naegele. Discusses tax qualified retirement plans, Keoghs, 401k plans, IRAs, ESOPs, loans from retirement plans, spousal rights, and creditors' rights. KFO CLE/01-58

UCC Revised Article 9: An Ohio Practice Perspective. Outlines changes in UCC Article 9. KFO CLE/01-75

Drafting and Reviewing Real Estate Documents. Presents topics such as reviewing agreements of sale, reviewing deeds, contract considerations, and drafting leases and construction contracts. KFO CLE/01-46

Labor and Employment: Filling in the Gaps. Provides an overview of the Fair Labor Standards Act, wrongful discharge laws in Ohio, the WARN Act, the National Labor Relations Act, ERISA, COBRA, and OSHA law. KFO CLE/01-116

Depositions and Motions: Skills for New Lawyers. Discusses defending depositions, how to extract

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admissions from hostile witnesses, and other strategies for effectively handling motions and depositions. KFO CLE/01-85

Sports Law and Entertainment Law. Some of the issues covered are Ohio's new athlete agent law, NCAA compliance from a university perspective, book publishing contracts, and contracts for film productions. KFO CLE/01-86/87

Basics of Estate Administration. Chapters include: "Interviewing the Estate's Representative: Ethical Considerations and Opening the Estate," "Debts of the Estate and Inventory of the Assets," "Accounting in an Estate," and "Surviving Spouse Issues Including Qualified Pensions and Retirement Accounts; and Transfers and Distributions." KFO CLE/01-24

6th Annual Consumer Law Institute. Covers such consumer issues as the Ohio Consumer Sales Practices Act, Magnuson-Moss, the Truth in Lending Act, privacy litigation, consumer finance and credit torts, mandatory arbitration clauses, and attorney fees in consumer protection cases. KFO CLE/01-12

Problems in Probate, 2001.

Provides an overview of recent probate related legislation and litigation, as well as discussing the applicability of civil and evidentiary rules in probate proceedings, will and trust contests, creditors' claims, and recording living wills and health care powers of attorney. KFO CLE/01/71

12th Annual Estate Planning Conference on Wealth Transfer. Contains a review of the 2001 Tax Act, then explores asset protection and dynasty trusts, reformation of wills, modern trust drafting, trust planning for persons with diminished capacity, the Uniform Trust Code, replacing old life insurance policies, premarital agreements, and qualified family owned business interests. KFO CLE/01-26

Equal Employment Opportunity Today. Includes chapters such as, "EEOC's Administrative Process," "Litigation Ethics," "EEOC Update," "Preliminary Issues/Discovery," "Motions for Summary Judgment," "Nature and Proof of Damages in Employment Discrimination Cases," and "Educating the Plaintiff Concerning Settlement." KFO



Family Law Update, 2001.

Contains an overview of the changes effected by Senate Bill 180 and House Bill 535. KFO CLE/01-93

LLCs: Limited Liability Companies. Discusses entity selection. KFO CLE/01-78

Electronic Discovery

Law.com's Electronic Discovery: A How-To Guide for Litigators "looks at the emergence of e-discovery as a mainstream litigation tool and examines the unique issues that arise when gathering electronic evidence." It is located on the web at: <http://www.law.com/special/supplement/e_discovery/>⁴



Administrative Rules

The Administrative Codes and Registers (ACR) Section of the National Association of Secretaries of State offers a comprehensive chart of sources for federal, state, and provincial administrative rules. Here you can find links to the primary and secondary sources of the regulations. It is located on the web at: <<http://www.nass.org/acr/internet.html>>.⁵

Footnotes

¹ Rosen, Alyssa. "Labor and Employment Law Resources on the Internet 2002. [LLRX.com](http://www.llrx.com) 15 July 2002. Law Library Resource Xchange, LLC. 26 August 2002. <<http://www.llrx.com/features/laborlaw.htm>>. From LLRX Update July 15, 2002.

² "Labor Day 2002: Sept. 2." Facts & Features: USCENSUSBUREAU. 19 August 2002. U.S. Census Bureau Public Information Office. 23 August 2002. <<http://www.census.gov/Press-Release/www/2002/cb02ff13.html>> Cited in The Virtual Acquisition Shelf & News Desk E-Mail Reminder, Week 76, August 22, 2002. <<http://resourceshelf.freepint.com>>

³ Powers, Jason. "Can't Cry Hard Enough: A Tribute to the Victims of September 11, 2001." 26 August 2002. <<http://www.cancryhardenough.com/>>

⁴ E-Discovery." Law.com 2002. NLP IP Company. 23 August 2002. <http://www.law.com/special/supplement/e_discovery/> Cited in "Research News: TVC Alert. The Virtual Chase. 18 June 2002. Ballard Spahr Andrews & Ingersoll, LLP. 23 August 2002. <<http://www.virtualchase.com/TVCAlert/jun02/18jun02.html>>

⁵ "Research News: TVC Alert." The Virtual Chase. 9 August 2002. Ballard Spahr Andrews & Ingersoll, LLP. 23 August 2002. <<http://www.virtualchase.com/TVCAlert/aug02/9aug02.html>>

All of the following cited publications are available in print at the law library.

ATTORNEY- CLIENT PRIVILEGE

"Is the War on Terrorism a War on Attorney-Client Privilege?" Criminal Justice, Summer 2002, at 22.
"A Rule Unfit For All Seasons: Monitoring Attorney-Client Communications Violates Privilege and the Sixth Amendment." 87 Cornell Law Review 1233

BUSINESS LAW

"Class Actions Today: What's Right and What's Not." Business Law Today, July/August 2002, at 10.
"Financial Statement Fraud: The Boundaries of Liability Under the Federal Securities Laws." 57 The Business Lawyer 955
"The Impact of Employee E-Mail Policies on Employee Rights to Engage on Concerted Activities Protected by the National Labor Act." 53 Labor Law Journal 69.
"On Trial in the Courts of Law and Public Opinion: The Tension Between Legal and Public Relations Advice." Litigation, Summer 2002, at 29.



CIVIL LIBERTIES

"Breaking the Pattern of Racial Profiling." Trial, August 2002, at 28.
"Can Communities Effectively Fight Displacement Caused By Gentrification." 11 Journal of Affordable Housing & Community Development Law 357
"Children As Believers: Minors' Free Exercise Rights and the Psychology of Religious Development." 115 Harvard Law Review 2005
"(E)Racing the Fourth Amendment." 100 Michigan Law Review 946
"Questioning the Rights of Juvenile Prisoners During Interrogation." 49 Cleveland State Law Review 17.
"Privacy Rights and Public Spaces: CCTV (Closed Circuit Television) and the Problem of the 'Unobservable Observer'." 21 Criminal Justice Ethics 21.
"Racial Profiling Under Attack." 102 Columbia Law Review 1413.
"Regulating Intimacy of Lawyers: Why Is It Needed and How Should it Be Approached?" 33 The University of Toledo Law Review 645
"Ten Propositions About Legal Recognition of Same-Sex Partners." 30 Capital University Law Review 343

ELDER LAW

"Challenges of Elder Law." GPSOLO, July/August 2002, at 14.
"Identity Theft and the Elderly." Experience, Summer 2002, at 33.

LAW

"When is a 'Rule' a Regulation? Marking a Clear Line Between Nonlegislative Rules and Legislative Rules." 54 Administrative Law Review 659
"Why Lawyers Continue to Cross the Line in Closing Argument: An Examination of Federal and State Cases." 28 Ohio Northern University Law Review 67.

LAW PRACTICE MANAGEMENT

"The Business of Law: Client, Competitor and Law Firm Knowledge." Ohio Lawyer, July/August 2002, at 6.
"How to Drive Strategic Innovation." Law Practice Management, July/August 2002, at 34.
"Partners At Risk." ABA Journal, August 2002, at 44.
"Using the Internet to Lower Marketing Costs." Ohio Lawyers Weekly, August 19, 2002, at 14.

MEDICAL ISSUES

"Different Viewpoints: The Importance of Being Dead: Non-Heart-Beating Organ Donation." 18 Issues in Law & Medicine 3.
"Stem Cell Research: Ethical Issues for Women in Donating Eggs and Embryos." Human Rights, Summer 2002, at 23.

TAX LAW

"Creative Tax Planning for the Disposition of Real Estate - Part 1." 27 The Journal of Real Estate Taxation 671. Part 2. 28 Journal of Real Estate Taxation 319.
"Taxing the Golden Goose: How Income Taxes Affect the Division of Businesses in Divorce." Business Entities, July/August 2002, at 6.



**Stark County Law Library
Association**

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**LOG ON TO OUR
CATALOG 24/7**

1. Open the telnet software on your computer (for example: HyperTerminal).
2. Enter a name for the connection (for example: Stark County Law Library)
3. In the host address line, enter: sirsi.starklawlibrary.org
4. In the "connect using" box, choose TCP/IP
5. At the login prompt type "public"
6. The program will then load, and this may take 1-2 minutes.
7. Choose 1) Library Catalog
8. Follow the on-screen instructions to search for books by author, title or subject.
9. To exit, choose "end" and "yes" to end the work-station session.

Membership and Fees: Membership is open to those who have passed the Ohio State Bar Examination.

Membership is complimentary for 1st year
\$15 for the 2nd - 49th year
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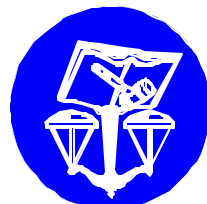
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